



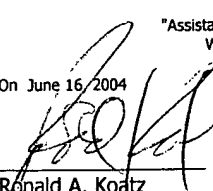
1743
JFW

CERTIFICATE OF MAILING

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"Assistant Commissioner for Patents"
Washington, D.C. 20231"

On June 16, 2004


Ronald A. Koatz
ATTORNEY FOR APPLICANT(S)
REGISTRATION NO. 31,774

June 16, 2004
DATE OF SIGNATURE

PATENT

01-R137-EDG

J6705(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yang et al.
Serial No.: 10/085,721
Filed: February 28, 2002
For: PERFUME CONTAINING SURFACTANT COMPOSITIONS
HAVING PERFUME BURST WHEN DILUTED
Group: 1743
Examiner: Monique T. Cole
Edgewater, NJ 07020
June 16, 2004

RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT (37 CFR §1.121)
MAILED JUNE 1, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In the "Notice of Non-Compliant Amendment (37 CFR §1.121)" mailed June 1, 2004 it is noted that a complete listing of all of the claims was not present (at time of last response) and that page 4 is missing from the claims.

In the "Response to Communication mailed May 6, 2004", which applicants mailed on May 18, 2004, applicants included pages 1-2 with remarks and pages 3-8, which was a re-presentation of the "Amendment to the Claims" (including "Listing of

Claims"). The re-presentation was submitted because of a previous typographical error to claim 6 which was corrected at page 5 of the re-presentation.

Applicants assume that the indication of missing page 4 refers to page 4 of the response applicants mailed on May 18, 2004. According to applicants' records and files, the entire response (including page 4) was submitted. However, to the extent that the papers mailed to the Patent Office seemed to be missing page 4, applicants attach to this response a copy of the same "Amendment to the Claims" and claim listing found at pages 3-8 of the May 18, 2004 response.

If for any reason applicants have misunderstood the Notice of Non-Compliant amendment, or the Examiner is indicating something else which is missing or wrong, applicants invite the Examiner to please call and clarify so that prosecution on the merits may proceed accordingly.

If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

A handwritten signature in black ink, appearing to read 'R. A. Koatz', is positioned above the printed name.

Ronald A. Koatz
Registration No. 31,774
Attorney for Applicants

RAK:sc
201-840-2912



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/085,721 | 02/28/2002 | Liu Yang | J6705(C) | 1728 |
| 201 | 7590 | 06/01/2004 | EXAMINER | |
| UNILEVER PATENT DEPARTMENT 45 RIVER ROAD EDGEWATER, NJ 07020 | | | COLE, MONIQUE T | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1743 | |

DATE MAILED: 06/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

*Non-Compliance
Amendment
Due 7/1/04*

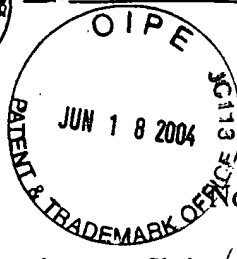
A
JUN 2004
Received
Unilever Patent Dept.
Edgewater, NJ



UNITED STATES PATENT AND TRADEMARK OFFICE

10/085721

COMMISSIONER FOR PATENT
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 145
ALEXANDRIA, VA 22313-145
www.uspto.gov



Paper No.

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 5/20/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☒ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: PAGE 4 IS MISSING OF THE CLAIMS

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given **ONE MONTH** from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this **ONE MONTH** time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION** (including a submission for an RCE), and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a **TIME PERIOD** of **ONE MONTH** from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

D. Lawrence
Legal Instruments Examiner (LIE)

571-272-1020
Telephone No.



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Commissioner for Patents,
P.O. Box 1450,
Alexandria, Virginia 22313-1450

on June 16, 2004

June 16, 2004
Date of
Signature

RONALD A. KOATZ
Reg. No. 31,774
Attorney for Applicant(s)

**UNITED STATES DEPT. OF COMMERCE
Patent and Trademark Office**

**PATENT
01-R137-EDG
J6705 (C)**

Customer No.: 000201
In re application of: Yang et al
Serial No.: 10/085,721
Filed: February 28, 2002
For: PERFUME CONTAINING SURFACTANT COMPOSITIONS
HAVING PERFUME BURST WHEN DILUTED

Group: 1743
Examiner: Monique T. Cole
Edgewater, New Jersey 07020
June 16, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ No additional fee is required.

The fee has been calculated as shown below.

CLAIMS AS AMENDED

| | (2) * Claims Remaining After Amendment | | (4)** Highest No. Previously Paid For | (5) Present Extra | (6) Rate | (7) Additional Fee |
|---|--|-------|--|----------------------|-----------|-----------------------|
| Total Claims | | Minus | | | \$ 18.00 | |
| Independent Claims | | Minus | | | \$ 86.00 | |
| Multiple Claims | | | | | \$ 290.00 | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | \$ | |

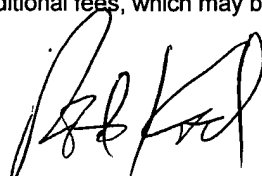
*If the entry in Column (2) is less than the entry in Column (4), write "0" in Column (5).

**If the "Highest No. Previously Paid For" is less than "20," write "20" in this space.

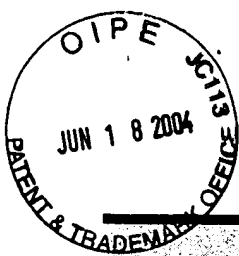
- ☐ Charge \$_____ to Deposit Acct. #12-1155. Triplicate copies of this letter are enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees, which may be required to our deposit account No. 12-1155, including all required fees under
- ☒ 37 C.F.R. § 1.16;
 - ☒ 37 C.F.R. § 1.17;
 - ☒ 37 C.F.R. § 1.18.

Triplicate copies of this letter are enclosed.

RAK/sc
(201) 840-2912



Ronald A. Koatz
Attorney of Record
Reg. #31,774

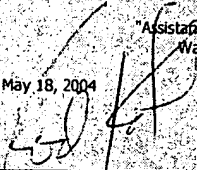


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"Assistant Commissioner for Patents"
Washington, D.C. 20231"

On May 18, 2004


Ronald A. Koatz
ATTORNEY FOR APPLICANT(S)
REGISTRATION NO. 31,774

May 18, 2004
DATE OF SIGNATURE

PATENT

01-R137-EDG

J6705(C)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Yang et al
Serial No.: 10/085,721
Filed: February 28, 2002
For: PERFUME CONTAINING SURFACTANT COMPOSITIONS
HAVING PERFUME BURST WHEN DILUTED
Group: 1743
Examiner: Monique T. Cole
Edgewater, NJ 07020
May 18, 2004

RESPONSE TO COMMUNICATION MAILED MAY 6, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In A Communication mailed May 6, 2004, the Examiner notes that applicants' reply which was filed March 1, 2004 (mailed February 26, 2004) did not address the 35 USC §112, second paragraph rejection of claim 6. Applicants are given one month to supply the needed omission or correction.

In reviewing the Listing of Claims submitted with the reply mailed on February 26, 2004 and comparing to the original filed claim 6, applicants note that what was marked as "original" for claim 6 in the February 26, 2004 reply is in fact different than the claim 6

found at page 41 of the original specification. Applicants are not sure why claim 6 does not match exactly claim 6 at page 41 (as should have been the case), but this appears to be a typographical error on applicants' part.

In this regard, applicants submit a new "Listing of Claims" reciting "A process for preparing a composition according to claim 1 yielding a maximum fragrance burst of at least 25%".

This claim (which was the intended claim) is firstly a process claim in agreement with all other process claims. Further, as it is dependent on claim 1, it incorporates the limitations of claim 1. Importantly, this includes the amendment to claim 1 defining the meaning of fragrance burst (increase of perfume concentration in the headspace above fragrance or fragrance components). Claim 6 is dependent on claim 1 and narrows claim 1 only in requiring that the burst (as defined in claim 1) be at least 25% rather than 20%.


As such, it is believed that claim 6, like claim 1, now clearly overcomes the rejection under 35 USC §112, and it is respectfully requested that the rejection be withdrawn.

As noted, attached to this response is a revised copy of pages 3-8 (Amendment to the Claims and attached Listing of Claims).

In view of the attached, revised Listing of Claims, it is respectfully requested that the claims (i.e., all claims 1-11) now be allowed.

If a telephone conversation would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided.

RAK:sc
201-840-2912


Ronald A. Koatz
Registration No. 31,774
Attorney for Applicants